(3)

Office

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 1625 /2004

PETITIONER :- Smt. Jaya Chandrakar
Aged 35 years, W/o Chiranjiv Chandrakar
R/O Vilage, Post - HANODA,
Tah. & Distt. DURG (CG).

Versus

RESPONDENTS :- (1) State of C.G.
Through - The Secretary,
Panchayat Department,
D.K.S. Bhawan, RAIPUR (C.G.).

(2) Director, Panchayat, C.G.
Raipur.

(3) Jila Panchayat, Durg
Through - The Chief Executive Officer,
Distt. Panchayat, DURG.

(4) Distt. Education Officer,
DURG (CG).

(5) Collector,
DURG (CG).

P.R. No. 2635/04
Presented by Shri A.S. Tiwari Advocate
dated 17.8.04

RECEIVED COPY
17/8/04
Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(45)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.2625/ **सन् 2004**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	30.08.2005 Mr. Ajay Shrivastava, learned counsel for the petitioner. Mr. Pankaj Shrivastava, learned Panel Lawyer for the State of Chhattisgarh. Mr. Ajay Dwivedi, learned counsel for respondent No.3. Learned counsel for the petitioner submits that Director, Panchayat, C.G. Raipur by his order dated 28.10.2003 has found the petitioner eligible for appointment to the post of Shiksha Karmi Grade-I in the Chemistry subject. Learned counsel further submits that despite order of the Director, respondent No.3 is not appointing the petitioner to the said post in general category in Chemistry subject. He also submits that by letters dated 02.06.2004, 28.10.2004 the respondent No.3 has sought permission of the State Government to remove the ban imposed on appointment of Shiksha Karmi. Learned counsel for the petitioner further submits and in case of other candidates, the State Government had already granted permission to appoint as Shiksha Karmi. Learned counsel appearing for respondent No.3 submits that there is no vacant post. However, letters annexed to the reply do not support contentions of respondent No.3 as respondent No.3 had sought permission	

(46)

XI-HC-78

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

of the State Government to lift the ban on appointment to the post of Shiksha Karmi Grade-I.

Learned counsel appearing for the State of Chhattisgarh submits that the Director will verify the correct position about the vacancy.

Having heard learned counsel for the parties and perusing records, it appears that the contentions of respondent No.3 that there is no vacant post is not correct as the respondent No.3 had sought permission of the State Government in case of other candidates also earlier for appointment as Shiksha Karmi Grade-I in Chemistry subject. The Director / respondent No.2 is directed to accord necessary approval for appointing the petitioner as Shiksha Karmi Grade-I in Chemistry, within a period of 3 weeks from the date of receipt of this order.

In view of the foregoing, the petition is allowed.

No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Sarma

1.9.05